

EXHIBIT 18

March 29, 2019

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Page 1

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 - - - - -x

5 SADIS & GOLDBERG, LLP,

6 Plaintiff,

7 vs.

8 SUMANTA BANERJEE,

9 Defendant.

10 - - - - -x

11 CONFIDENTIAL

12 Oral deposition of AKSHITA BANERJEE, taken
13 pursuant to Notice, was held at the Law Offices of
14 SADIS & GOLDBERG, LLP, 551 Fifth Avenue, New York,
15 New York, commencing March 29, 2019, 10:03 a.m., on
16 the above date, before Amanda McCredo, a Court
17 Reporter and Notary Public in the State of New York.

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23
24 Joint Exhibit

087

14-cv-00913(LTS)(OTW)

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2 to 5

<p style="text-align: right;">Page 2</p> <p>1 2 A P P E A R A N C E S: 3 SADIS & GOLDBERG, LLP 4 551 Fifth Avenue - 21st Floor 5 New York, New York 10176 6 BY: BENJAMIN HUTMAN, ESQ. 7 bhutman@sadis.com 8 (212)573-6675 9 Attorneys for Plaintiff 10 11 FERBER CHAN ESSNER & COLLERT, LLP 12 One Grand Central Place 13 60 East 42nd Street - Suite 2050 14 New York, New York 10176 15 BY: ROBERT N. CHAN, ESQ. 16 chan@ferberchan.com 17 (212)944-2200 18 Attorneys for Defendant 19 20 ALSO PRESENT: 21 Sumanta Banerjee 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 A. Banerjee 2 in the transcript. 3 At any time throughout the deposition, your 4 attorney may objection. He may say "Objection," 5 "Objection to form." You still have to answer the 6 question even though he objects. He will say his 7 objection, but you answer unless he instructs you 8 not to answer and he would do so verbally. 9 If you need a break throughout the time 10 that we're taking the deposition, as long as there 11 isn't a pending question, I'll be glad to give you 12 the break. If you have -- if I ask a question and 13 you say, "I need a break," answer the question and 14 then we'll take the break. 15 All right? 16 A Thank you. 17 Q How much time did you spend preparing for 18 this deposition? 19 A About an hour. 20 Q Did you prepare with counsel? 21 A Yes. 22 Q Did you prepare at all without counsel? 23 A Yes. 24 Q Just combined together was about an hour? 25 A Yes.</p>
<p style="text-align: right;">Page 3</p> <p>1 A. Banerjee 2 AKSHITA BANERJEE, the witness herein, after having 3 been first duly sworn by a Notary Public 4 of the State of New York, was examined and 5 testified as follows: 6 EXAMINATION BY 7 MR. HUTMAN: 8 Q Good morning, Ms. Banerjee. How are you? 9 A Hi. Good, thank you. 10 Q Is this the first deposition you've ever 11 taken? 12 A Yes. 13 Q So I'm just going to go over some very 14 basic deposition rules just in advance. I'm going 15 to ask questions and you're going to answer 16 questions. No one else in the room, other than you, 17 can be answering the questions. Please wait for me 18 to finish the question in its entirety before you 19 answer, because if you answer in the middle, it 20 makes the transcript difficult to read. I'll do my 21 best not to ask the next question until you finish 22 your answer for the same reason. 23 Don't use hand gestures or head gestures to 24 give an answer. Always say the answer verbally. 25 Once again, because nodding your head won't appear</p>	<p style="text-align: right;">Page 5</p> <p>1 A. Banerjee 2 Q Did you review any documents to prepare for 3 this deposition? 4 A I did look at the deposition that my 5 husband gave. 6 Q Did you look at anything else? 7 A Yes, I looked at my affidavit. 8 Q Anything else? 9 A No. 10 Q What's your educational background? 11 A I have an MBA from NYU Stern and I have an 12 undergraduate from College of Wooster. 13 Q Where is that? 14 A It's in Ohio. 15 Q When did you live in Connecticut? 16 MR. CHAN: Objection. 17 A We moved to Connecticut in 1994 for about a 18 year period, and then moved into Connecticut 19 formally in middle of '97. 20 Q When did you leave Connecticut? 21 A We moved to India in 2009 and returned back 22 to Connecticut in 2012 -- 2011, excuse me. 23 Q When in 2009 did you move to India? 24 A January. 25 Q Why did you go to India?</p>

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<p style="text-align: right;">Page 126</p> <p>1 A. Banerjee</p> <p>2 108,000 from 2013?</p> <p>3 A I don't recall. I think so.</p> <p>4 Q Is it possible that you split the money?</p> <p>5 MR. CHAN: Objection.</p> <p>6 A No, we did not split the money, but I don't</p> <p>7 recall.</p> <p>8 Q Well, if you don't recall, how do you know</p> <p>9 that you didn't split it?</p> <p>10 A Because there is nothing that we got in the</p> <p>11 U.S. that he'd say, "This is mine and not yours,"</p> <p>12 because that was the explicit understanding of our</p> <p>13 agreement.</p> <p>14 Q But the agreement says you'll divide it</p> <p>15 equitably?</p> <p>16 A It says that, but, at the same time, all</p> <p>17 his money in India I couldn't touch, the same way he</p> <p>18 can't touch what's in the U.S. He has assets in</p> <p>19 India that far exceed anything that he has as a</p> <p>20 joint or with me. So he said, "You can't touch</p> <p>21 anything in India and I can't touch anything in the</p> <p>22 U.S." And that's the agreement we made and we stick</p> <p>23 to it even now.</p> <p>24 Q Are you saying there was an oral agreement</p> <p>25 in addition to the written separation agreement?</p>	<p style="text-align: right;">Page 128</p> <p>1 A. Banerjee</p> <p>2 understanding is that the oral agreement still</p> <p>3 stands, that wasn't quite accurate, right?</p> <p>4 MR. CHAN: Objection.</p> <p>5 A It's accurate in the way I perceive it. So</p> <p>6 the Indian assets are his. I don't ask him, I don't</p> <p>7 know the total dollar. I know it's substantial. I</p> <p>8 don't have any access to it and stuff.</p> <p>9 And likewise, my big asset is my home.</p> <p>10 It's my home. I own it with my father. I make the</p> <p>11 payments on it.</p> <p>12 Q In terms of the everyday usage of cash,</p> <p>13 that you do share now?</p> <p>14 A Yes, joint expenses. He gives me money for</p> <p>15 the cash and I put in my money. We don't sit</p> <p>16 say yours is five and mine is five. We put that</p> <p>17 together and take care of it.</p> <p>18 Q This \$431,000, did you report this as</p> <p>19 income for the year 2014?</p> <p>20 A It wasn't mine, so, no, I did not report it</p> <p>21 as income. It did not come in to me at that time.</p> <p>22 It wasn't my name on the check.</p> <p>23 Q Did your husband report the \$431 as income</p> <p>24 in 2013?</p> <p>25 MR. CHAN: Objection.</p>
<p style="text-align: right;">Page 127</p> <p>1 A. Banerjee</p> <p>2 A Yes.</p> <p>3 Q And that oral agreement, your understanding</p> <p>4 is it's still in operation?</p> <p>5 A Yes, it is.</p> <p>6 Q So you guys still, today, even though</p> <p>7 you're reconciled and together, keep your assets</p> <p>8 separate?</p> <p>9 A Yes, we do. I have no access or ownership</p> <p>10 interest in India. My house is my house. The 1514</p> <p>11 Cook School Road is still my house.</p> <p>12 Q Do you currently have any joint account</p> <p>13 with your husband?</p> <p>14 A Yes, we do now have a joint checking</p> <p>15 account.</p> <p>16 Q And the money that goes into that account,</p> <p>17 where does it come from?</p> <p>18 A My money that I get from what I do -- but</p> <p>19 I'm looking for a job right now.</p> <p>20 Q You're sharing the U.S. assets; isn't that</p> <p>21 correct?</p> <p>22 A This is post, post all the -- before</p> <p>23 reconciliation.</p> <p>24 This is after reconciliation.</p> <p>25 Q When you said earlier that your</p>	<p style="text-align: right;">Page 129</p> <p>1 A. Banerjee</p> <p>2 A No, we file separately.</p> <p>3 Q In your mind, is there any difference</p> <p>4 between your ownership of the 108,000 in 2013 and</p> <p>5 the 431,000 in 2014?</p> <p>6 MR. CHAN: Objection.</p> <p>7 A I'm not sure I understand the question.</p> <p>8 Q I believe that you testified earlier that</p> <p>9 the 108,000 you did report on your taxes in some</p> <p>10 form. And you then said that, with respect to the</p> <p>11 431,000, that you didn't earn it on your own so you</p> <p>12 didn't report it. I'm asking what difference there</p> <p>13 was between the 108,000 and the 431,000.</p> <p>14 MR. CHAN: Objection.</p> <p>15 A We filed taxes separately for 2013 versus</p> <p>16 2014.</p> <p>17 Q So the difference is that, the 431,000 was</p> <p>18 your husband's income while the 108,000 was a joint</p> <p>19 income with respect to taxes?</p> <p>20 A With respect to taxes, how I perceived it,</p> <p>21 yes. So I would not have filed it into my taxes in</p> <p>22 2014.</p> <p>23 MR. HUTMAN: We'll mark this as Exhibit 51.</p> <p>24 (State and Federal tax returns</p> <p>25 for 2014 was marked as Exhibit</p>